

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pines et al.
 Serial No.: 09/762,715
 Filed: February 12, 2001
 Entitled: INHIBITION OF PATHOGENIC
 PROCESSES RELATED TO TISSUE
 TRAUMA

Group Art Unit:

Examiner: not yet assigned

Attorney Docket No.: CGD-004.0P US

Assistant Commissioner for Patents

BOX PCT

Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
 & PETITION FOR EXTENSION OF TIME**

Sir:

Transmitted herewith are: [X] Declaration/Power of Attorney signed by all inventors (w/ surcharge); [X] a copy of the Notification of Missing Requirements; [X] a return receipt postcard, for filing in the above-captioned patent application.

FEE FOR ADDITIONAL CLAIMS

[] A fee for additional claims is not required.

[X] A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXCESS CLAIMS	RATE	FEE DUE
TOTAL CLAIMS	<u>0</u>	<u>0</u>	<u>0</u>	× \$	= 0.00
INDEPENDENT	<u>0</u>	<u>0</u>	<u>0</u>	× \$	= 0.00
FIRST INTRODUCTION OF MULT. DEPENDENT CLAIM				+\$	= 0.00
TOTAL FEES DUE					= 36.00*

* per item 3 of Form PCT/DO/EO/917 - small entity

[X] Small entity status has previously been established for Applicant(s) in this case.

PAYMENT OF ADDITIONAL CLAIMS FEES

- [] A check including the amount of \$ _____ for the fee for additional claims is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §1.16 or §1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

PETITION FOR EXTENSION OF TIME

- [X] Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the paper(s) filed herewith: [] \$55.00 for response within first month pursuant to 37 CFR 1.17(a)(1);
[X] **\$195.00 for response within second month pursuant to 37 CFR 1.17(a)(2);**
[] \$445.00 for response within third month pursuant to 37 CFR 1.17(a)(3);
[] \$695.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4);
[] \$945.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5).
- [X] A check including the amount of [] \$55.00 [X] **\$195.00** [] \$445.00 [] \$695.00 [] \$945.00 in payment of the extension fee is transmitted herewith. (check no. 3541).
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Leon R. Yankwich, Reg. No. 30,237
David G. O'Brien, Reg. No. 46,125
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CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, **Box PCT**, Washington, D.C. 20231 on the date indicated below.

June 16, 2001
date


Stephanie L. Leicht

09/762715 #4

PTO/SB/17 (12-99)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$) 296.00

Complete if Known

Application Number	09/762,715
Filing Date	Feb. 12, 2001
First Named Inventor	Pines
Examiner Name	(Not Yet Assigned)
Group / Art Unit	(Not Yet Assigned)
Attorney Docket No.	CGD-004.0P US

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-0268
Deposit Account Name Yankwich & Associates

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

00000111 09762715
SUBTOTAL (1) (\$) 195.00

2. EXTRA CLAIMS FEES

Total Claims 44 - 20** = 24 X 18 = 432
Independent Claims 3 - 3** = N/A X 78 = 0
Multiple Dependent 260 = 260

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 78	202 39	Independent claims in excess of 3	
104 260	204 130	Multiple dependent claim, if not paid	
109 78	209 39	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 260.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	195.00
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) extra claims, per PCT/DO/EO/917

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 296.00

SUBMITTED BY

Typed or Printed Name Leon R. Yankwich

Signature Leon R. Yankwich

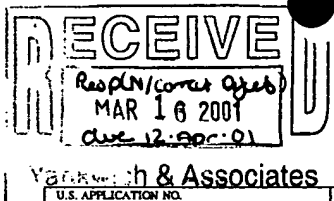
Date 12JUNE2001

Complete (if applicable)

Reg. Number 30,237

Telephone 617- 491-4343

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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Yankwich & Associates

U.S. APPLICATION NO.

09/762715

FIRST NAMED APPLICANT

VOLDAVSKY

ATTY. DOCKET NO.

P CGD-004.0P U

LEON R YANKWICH
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INTERNATIONAL APPLICATION NO.

PCT/IL99/00440

I.A. FILING DATE

13 AUG 99

PRIORITY DATE

13 AUG 98

DATE MAILED:

12 MAR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☒ Information Disclosure Statement(s) filed FEB 12 2001 and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☒ Other: 337

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$72 _____ as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

John Anderson

Telephone: 703-308-9116